

CLOSED

**U.S. District Court [LIVE]  
Western District of Texas (Austin)  
CRIMINAL DOCKET FOR CASE #: 1:21-mj-00481-ML All Defendants**

Case title: USA v. Mehaffey

Date Filed: 06/08/2021

Other court case number: 2:20-cr-626-PHX-DWL District of  
Arizona, Phoenix Division

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Assigned to: Judge Mark Lane

**Defendant (1)**

**Brannen Sage Mehaffey**

**Pending Counts**

**Disposition**

None

**Highest Offense Level (Opening)**

None

**Terminated Counts**

**Disposition**

None

**Highest Offense Level (Terminated)**

None

**Complaints**

**Disposition**

Pretrial Release Violation Petition

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**Plaintiff**

**USA**

represented by **Matthew B. Devlin**  
Assistant United States Attorney  
903 San Jacinto Blvd.  
Suite 334  
Austin, TX 78701  
(512) 916-5858  
Fax: (512) 370-1292  
Email: [matt.devlin@usdoj.gov](mailto:matt.devlin@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Page	Docket Text
06/08/2021	<u>1</u>	3	Arrest (Rule 5/Rule 32.1) of Brannen Sage Mehaffey (jf) (Entered: 06/08/2021)
06/08/2021	<u>2</u>	6	Minute Entry for proceedings held before Judge Mark Lane:Initial Appearance in Rule 5(c)(3)/ Rule 32.1 Proceedings as to Brannen Sage Mehaffey held on 6/8/2021 (Minute entry documents are not available electronically.) (Court Reporter FTR Gold – ERO.) (jf) (Entered: 06/08/2021)
06/08/2021	<u>3</u>	8	NOTICE OF HEARING as to Brannen Sage Mehaffey: Identity / Preliminary Hearing set for 6/11/2021 at 11:00 AM before Judge Mark Lane.(jf) (Entered: 06/08/2021)
06/11/2021	<u>4</u>	10	Minute Entry for proceedings held before Judge Mark Lane:Identity / Preliminary Hearing as to Brannen Sage Mehaffey held on 6/11/2021 (Minute entry documents are not available electronically.) (Court Reporter FTR Gold – ERO.) (jf) (Entered: 06/11/2021)
06/11/2021	<u>5</u>	11	Minute Entry for proceedings held before Judge Mark Lane:Bond Hearing as to Brannen Sage Mehaffey held on 6/11/2021 (Minute entry documents are not available electronically.) (Court Reporter FTR Gold – ERO.) (jf) (Entered: 06/11/2021)
06/11/2021	<u>6</u>	12	ORDER Setting Conditions of Release. Signed by Judge Mark Lane. (jf) (Entered: 06/11/2021)
06/11/2021	<u>7</u>	16	WAIVER – Rule 5 as to Brannen Sage Mehaffey. (jf) (Entered: 06/11/2021)
06/11/2021	<u>8</u>	17	ORDER REQUIRING A DEFENDANT TO APPEAR IN THE DISTRICT WHERE CHARGES ARE PENDING AND TRANSFERRING BAIL as to Brannen Sage Mehaffey. Signed by Judge Mark Lane. (jf) (Entered: 06/11/2021)

**FILED**

June 8, 2021

## UNITED STATES DISTRICT COURT

for the  
District of ArizonaCLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
BY: *[Signature]*  
DEPUTY

United States of America

v.

Case No. CR-20-00626-001-PHX-DWL

) SEALED      **1:21-MJ-481-ML**

)

Brannen Sage Mehaffey

*Defendant***ARREST WARRANT**

To: Any authorized law enforcement officer

**YOU ARE COMMANDED** to arrest and bring before a United States Magistrate Judge without unnecessary delay

(name of person to be arrested) Brannen Sage Mehaffey

who is accused of an offense or violation based on the following document filed with the court:

Indictment    Superseding Indictment    Information    Superseding Information    Complaint  
 Probation Violation Petition    Pretrial Release Violation Petition    Violation Notice    Order of the Court

This offense is briefly described as follows:

18:3142: Violation of Pretrial Release



Date:

June 1, 2021

A handwritten signature in black ink that reads "Michelle Sanders".

Issuing officer's signature

City and state: Phoenix, Arizona

ISSUED ON 1:39 pm, Jun 01, 2021

s/ Debra D. Lucas, Clerk

Michelle Sanders, Deputy Clerk

Printed name and title

**Return**

This warrant was received on (date) \_\_\_\_\_, and the person was arrested on (date) \_\_\_\_\_  
 at (city and state) \_\_\_\_\_.

Date: \_\_\_\_\_

*Arresting officer's signature*

Printed name and title

cc: PTS

<input checked="" type="checkbox"/> FILED	LODGED
<input type="checkbox"/> RECEIVED	<input type="checkbox"/> COPY
JUN 01 2021	
CLERK U S DISTRICT COURT	
DISTRICT OF ARIZONA	
BY <i>M</i>	DEPUTY

United States District Court  
for  
District of Arizona

U. S. A. vs. Brannen Sage Mehaffey  
Docket No. 2:20-CR-00626-DWL-1  
AUSA: Gary Michael Restaino  
Defense Attorney: Arnold Augur Spencer

1:21-MJ-481-ML

T-  
**PETITION FOR ACTION ON CONDITIONS OF PRETRIAL RELEASE**

COMES NOW REBECCA I. TIECHE, PRETRIAL SERVICES OFFICER, of the Court presenting an official report upon the conduct and attitude of releasee: Brannen Sage Mehaffey, who was released by the Honorable Deborah M. Fine sitting in the Court at Phoenix, on the 21st day of October, 2020, who fixed bail at personal recognizance and imposed the general terms and conditions of bail release adopted by the Court and also imposed special conditions as follows:

**PLEASE REFER TO THE ORDER SETTING CONDITIONS OF RELEASE**

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS  
FOLLOWS:**

**ALLEGED VIOLATION:**

1. Defendant must not violate Federal, state, or local law while on release.

On May 29, 2021 the defendant was arrested by Travis County Sheriff Office in Texas and charged with Driving While Intoxicated.

2. Defendant shall not use alcohol at all.

At the time of the afore-mentioned arrest, the defendant admitted to consuming two alcoholic beverages prior to operating a motor vehicle.

cc: PTS

Page 2

RE: Brannen Sage Mehaffey  
June 1, 2021

**AFFIDAVIT AND PETITION PRAYING THAT THE COURT WILL ORDER A WARRANT BE ISSUED.**

In conformance with the provisions of 28 U.S.C. § 1746, I declare under penalty of perjury, that the foregoing is true and correct to the best of my knowledge. Based on the information presented that the defendant has violated conditions of release, I am petitioning the Court to issue a warrant.

*Rebecca Tieche*

\_\_\_\_\_  
Rebecca I. Tieche  
U.S. Pretrial Services Officer

\_\_\_\_\_  
June 1, 2021

Date

Reviewed by

*Gilbert R. L.*

\_\_\_\_\_  
Gilbert Lara  
Supervisory U.S. Pretrial Services Officer

\_\_\_\_\_  
June 1, 2021

Date

**ORDER OF COURT**

I find there is probable cause to believe the defendant has violated conditions of release, supported by the above affirmation given under penalty of perjury. The Court orders the issuance of a warrant. Considered and ordered this 1 day of June, 2021, and ordered filed and made a part of the records in the above case.

*Deborah M. Fine*

\_\_\_\_\_  
The Honorable DEBORAH M FINE  
U.S. Magistrate Judge

**UNITED STATES DISTRICT COURT**  
**WESTERN DISTRICT OF TEXAS**  
**AUSTIN DIVISION**

USA

§

§

§ Criminal No.: AU:21-M -00481(1)

(1) Brannen Sage Mehaffey

Defendant

§ Date Appeared: June 08, 2021

§ Time: 1:40 PM - 1:46 PM (6 minutes)

§

**INITIAL APPEARANCE - District of Arizona (2:20cr626)**

1. Petition Filed	June 1, 2021 <i>Date</i>	Warrant Issued:	June 1, 2021 <i>Date</i>
Arrested	June 8, 2021 <i>Date</i>	Agency:	USMS <i>Agency</i>
2. COURT PERSONNEL:			
U.S. Magistrate Judge:	<u>MARK LANE</u>		
Courtroom Deputy:	<u>Amanda Deichert</u>		
Pretrial Officer:			
Interpreter:	<u>N/A</u>		
3. APPEARANCES:			
AUSA:	- Excused		
DEFT:	- Excused		
4. PROCEEDINGS:			
a. Age	44	Education	
b. Defendant understands proceedings and is mentally competent.	Gender Male		
c. Defendant is informed of constitutional rights.	Y		
d. Defendant understands charges.	Y		
e. If charged on complaint, Defendant informed of right to Preliminary Hearing.	Y		
f. Defendant informed of right to legal counsel.	N/A		
1) Defendant waives counsel.			
2) Defendant states he/she will retain counsel.			
X 3) Defendant states he has retained: <u>Arnold Spencer</u>			
Phone No.:			
4) Defendant requests appointment of counsel.			
Defendant HAS NOT completed the CJA23 financial affidavit.			
Court will appoint counsel in the interest of justice but will require an affidavit to be completed by the next hearing.			
Defendant HAS completed the CJA23 financial affidavit and the Court will appoint counsel because:			
The defendant is indigent at this time.			
Even though the defendant is not indigent, counsel will be appointed in the interests of justice.			
The Court finds that the defendant is NOT eligible and denies request.			

## PROCEEDING MEMO - INITIAL APPEARANCE

In Re: (1) Brannen Sage Mehaffey

Page 2 of 2 Pages

## g. PRE-TRIAL RELEASE:

\_\_\_\_ 1) The Government makes  oral or  written motion for detention under 18 USC 3142.  
 Court sets detention hearing for \_\_\_\_\_

\_\_\_\_ 2) The Court sua sponte moves for detention. The detention hearing is set for \_\_\_\_\_ at \_\_\_\_\_

\_\_\_\_ 3) The Defendant  is released  will be released on the following conditions:  
 Bond is set at \$ \_\_\_\_\_

*(Check the following that apply:)*

unsecured  unsecured with 10% posted to the registry  
 cash or corporate  additional sureties  
 3rd party custodian  as set forth in Order Setting Conditions of Release

h. Temporary Detention issued \_\_\_\_\_ Arraignment set for \_\_\_\_\_

## i. REMOVAL PROCEEDINGS:

The Defendant is advised of Rule 20 and Rule 5 rights and ....

\_\_\_\_ 1) The Defendant waives Rule 5(c)(3)(D)(ii) and is detained pending removal to the \_\_\_\_\_. Detention hearing is to be held in that district.

\_\_\_\_ 2) The Defendant waives Rule 5 and is released on bond. The Defendant is ordered to appear in the \_\_\_\_\_  on \_\_\_\_\_  
 or  when notified by the prosecuting district.

3) The Defendant is  detained  released on bond and requests Rule 5(c)(3) hearing. The Court sets hearing for \_\_\_\_\_ Identity/Preliminary Hearings on June 11, 2021 at 11:00 am

j. Other: \_\_\_\_\_

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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

USA

v.

Case Number: AU:21-M -00481(1)

(1) Brannen Sage Mehaffey  
*Defendant*

Dear Sir or Madam:

TAKE NOTICE that the above-entitled case has been set before:

**UNITED STATES MAGISTRATE JUDGE MARK LANE,**

at the **U.S. Courthouse, 501 West Fifth Street Austin, Texas Courtroom #8**, for the following:

**IDENTITY/PRELIMINARY HEARING**

on **Friday, June 11, 2021 at 11:00 AM**

EVERYONE to whom this notice is addressed (except those to whom copies are sent for information only) must appear IN PERSON unless excused from appearing by the Court.

ATTORNEYS are reminded that it is their duty to advise clients, witnesses, and others concerning rules of decorum to be observed in Court. (Local Court Rule AT-5(b)(12)).

WHENEVER defendants or witnesses in a criminal case have need for the services of a court interpreter, the attorney must inform the Clerk not later than five (5) business days before the scheduled Court proceeding.

If defendant chooses to waive hearing, a written waiver (see attached) must be signed by defendant and his/her counsel and filed by 4:00 p.m. the day before scheduled hearing.

Date Issued: June 08, 2021

(1) Brannen Sage Mehaffey

Attorney at Law

/s/

Amanda Deichert  
Magistrate Courtroom Deputy  
(512) 916-5896 Ext. 8705

cc: U.S. Probation  
U.S. Pretrial Services  
U.S. Clerk  
U.S. Attorney

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

USA

v.

Case Number: AU:21-M -00481(1)

(1) Brannen Sage Mehaffey

Charging District's Case No.: 2:20cr626

**Waiver of Rule 5 & 5.1 Hearing**  
(Complaint/Indictment)

I understand that I have been charged in another district, the District of Arizona.

I have been informed of the charges and of my rights to:

- (1) retain counsel or request the assignment of counsel if I am unable to retain counsel;
- (2) an identity hearing to determine whether I am the person named in the charges;
- (3) production of the warrant, a certified copy of the warrant, or a reliable electronic copy of either;
- (4) a preliminary hearing to determine whether there is probable cause to believe that an offense has been committed, to be held within 14 days of my first appearance if I am in custody and 21 days otherwise, unless I have been indicted beforehand.
- (5) a hearing on any motion by the government for detention;
- (6) request transfer of the proceedings to this district under Fed. R. Crim. P. 20, to plead guilty.

I agree to waive my right(s) to:

an identity hearing and production of the warrant.

a preliminary hearing.

a detention hearing.

an identity hearing, production of the warrant, and any preliminary or detention hearing to which I may be entitled in this district. I request that any preliminary or detention hearing be held in the prosecuting district, at a time set by that court.

I consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.

---

(1) Brannen Sage Mehaffey, *Defendant*

---

Date

*Counsel for Defendant*

**UNITED STATES MAGISTRATE JUDGE  
IDENTITY/PRELIMINARY HEARING**

CASE NO. AU:21-M -00481(1)LOCATION: AUSTIN, TEXASDEFENDANT: (1) Brannen Sage MehaffeyATTORNEY: Arnold SpencerMAGISTRATE JUDGE: MARK LANEAUSA: Matt DevlinCRD: Amanda DeichertINTERPRETER: N/ACOURT REPORTER: FTR Gold - EROPRETRIAL OFFICER: Kyona Stubbs, Linda Cano

CSO:

TIME: 11:07 AM - 11:17 (10 minutes)HEARING DATE: June 11, 2021

**PROCEEDINGS**

- WAIVER OF IDENTITY/PRELIMINARY/DETENTION HEARINGS FILED
- PRELIMINARY HEARING/ARRAIGNMENT HELD
- COURT READ CHARGES TO DEFENDANT; DEFENDANT PLEADS NOT GUILTY
- COURT FINDS PROBABLE CAUSE EXIST TO PRESENT CASE TO GRAND JURY FOR INDICTMENT
- DETENTION HEARING HELD
- WITNESS SWORN AND TESTIFIED
- EXHIBITS OFFERED AND ADMITTED
- ARGUMENT OF COUNSEL HEARD
- MOTION TO DETAIN GRANTED/WITHDRAWN/DENIED
- COURT FINDS THERE ARE NO CONDITIONS TO BE SET
- CONDITIONS REVIEWED WITH DEFT WHO ACKNOWLEDGED UNDERSTANDING & SIGNED SAME
- HEARING RESET TO 1:00PM**
- WRITTEN ORDER TO FOLLOW

OTHER: Conditions of Release discussed pending approval of Judge in originating district.

**UNITED STATES MAGISTRATE JUDGE  
BOND HEARING**

CASE NO.	<u>AU:21-M -00481(1)</u>	LOCATION:	<u>AUSTIN, TEXAS</u>
DEFENDANT:	<u>(1) Brannen Sage Mehaffey</u>	ATTORNEY:	<u>Arnold Spencer</u>
MAGISTRATE JUDGE:	<u>MARK LANE</u>	AUSA:	<u>Matt Devlin</u>
CRD:	<u>Amanda Deichert</u>	INTERPRETER:	<u>N/A</u>
COURT REPORTER:	<u>FTR Gold - ERO</u>	PRETRIAL OFFICER:	<u>Kyona Stubbs</u>
CSO:		TIME:	<u>1:07 PM - 1:17 PM (10 minutes)</u>
HEARING DATE:	<u>June 11, 2021</u>		

**PROCEEDINGS**

- WAIVER OF PRELIMINARY HEARING/ARRAIGNMENT FILED
- PRELIMINARY HEARING/ARRAIGNMENT HELD
- COURT READ CHARGES TO DEFENDANT; DEFENDANT PLEADS NOT GUILTY
- COURT FINDS PROBABLE CAUSE EXIST TO PRESENT CASE TO GRAND JURY FOR INDICTMENT
- DETENTION HEARING HELD
- WITNESS SWORN AND TESTIFIED
- EXHIBITS OFFERED AND ADMITTED
- ARGUMENT OF COUNSEL HEARD
- MOTION TO DETAIN GRANTED/WITHDRAWN/DENIED
- COURT FINDS THERE ARE CONDITIONS TO BE SET
- CONDITIONS REVIEWED WITH DEFT WHO ACKNOWLEDGED UNDERSTANDING & SIGNED SAME
- HEARING CONCLUDED
- WRITTEN ORDER TO FOLLOW

OTHER: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

UNITED STATES DISTRICT COURT  
for the  
Western District of Texas

**FILED**  
June 11, 2021

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS

BY: \_\_\_\_\_ **AD**  
DEPUTY

United States of America

)

v.  
Brennan Sage Mehaffey

)

)

)

*Defendant*

Case No. 1:21-mj-00481-ML-1

**ORDER SETTING CONDITIONS OF RELEASE**

IT IS ORDERED that the defendant's release is subject to these conditions:

- (1) The defendant must not violate federal, state, or local law while on release.
- (2) The defendant must cooperate in the collection of a DNA sample if it is authorized by 34 U.S.C. § 40702.
- (3) The defendant must advise the court or the pretrial services office or supervising officer in writing before making any change of residence or telephone number.
- (4) The defendant must appear in court as required and, if convicted, must surrender as directed to serve a sentence that the court may impose.

The defendant must appear at: U.S. Courthouse for the Western District of Texas, Austin Division

*Place*

501 W. 5th Street

on \_\_\_\_\_ as directed

*Date and Time*

If blank, defendant will be notified of next appearance.

- (5) The defendant must sign an Appearance Bond, if ordered.

## ADDITIONAL CONDITIONS OF RELEASE

Pursuant to 18 U.S.C. § 3142(c)(1)(B), the court may impose the following least restrictive condition(s) only as necessary to reasonably assure the appearance of the person as required and the safety of any other person and the community.

IT IS FURTHER ORDERED that the defendant's release is subject to the conditions marked below:

(6) The defendant is placed in the custody of:

Person or organization \_\_\_\_\_

Address (only if above is an organization) \_\_\_\_\_

City and state \_\_\_\_\_

Tel. No. \_\_\_\_\_

who agrees to (a) supervise the defendant, (b) use every effort to assure the defendant's appearance at all court proceedings, and (c) notify the court immediately if the defendant violates a condition of release or is no longer in the custodian's custody.

Signed: \_\_\_\_\_ Custodian \_\_\_\_\_ Date \_\_\_\_\_

(7) The defendant must:

(a) submit to supervision by and report for supervision to the US Pretrial Services office \_\_\_\_\_, telephone number 512-916-5297, no later than as directed \_\_\_\_\_.

(b) continue or actively seek employment.

(c) continue or start an education program.

(d) surrender any passport to: US Pretrial Services Office \_\_\_\_\_.

(e) not obtain a passport or other international travel document.

(f) abide by the following restrictions on personal association, residence, or travel: No travel outside Travis, Hays, and Williamson Counties unless authorized by U.S. Pretrial Services no foreign travel. May travel to Arizona for court purposes and to visit with attorney.

(g) avoid all contact, directly or indirectly, with any person who is or may be a victim or witness in the investigation or prosecution, including: \_\_\_\_\_.

(h) get medical or psychiatric treatment: as directed by U.S. Pretrial Services Office \_\_\_\_\_.

(i) return to custody each \_\_\_\_\_ at \_\_\_\_\_ o'clock after being released at \_\_\_\_\_ o'clock for employment, schooling, or the following purposes: \_\_\_\_\_.

(j) maintain residence at a halfway house or community corrections center, as the pretrial services office or supervising officer considers necessary.

(k) not possess a firearm, destructive device, or other weapon.

(l) not use alcohol ( ) at all ( ) excessively.

(m) not use or unlawfully possess a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner.

(n) submit to testing for a prohibited substance if required by the pretrial services office or supervising officer. Testing may be used with random frequency and may include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing. The defendant must not obstruct, attempt to obstruct, or tamper with the efficiency and accuracy of prohibited substance screening or testing.

(o) participate in a program of inpatient or outpatient substance abuse therapy and counseling if directed by the pretrial services office or supervising officer.

(p) participate in one of the following location restriction programs and comply with its requirements as directed.

- ( i) **Curfew.** You are restricted to your residence every day ( ) from \_\_\_\_\_ to \_\_\_\_\_, or ( ) as directed by the pretrial services office or supervising officer; or
- ( ii) **Home Detention.** You are restricted to your residence at all times except for employment; education; religious services; medical, substance abuse, or mental health treatment; attorney visits; court appearances; court-ordered obligations; or other activities approved in advance by the pretrial services office or supervising officer; or
- ( iii) **Home Incarceration.** You are restricted to 24-hour-a-day lock-down at your residence except for medical necessities and court appearances or other activities specifically approved by the court; or
- ( iv) **Stand Alone Monitoring.** You have no residential curfew, home detention, or home incarceration restrictions. However, you must comply with the location or travel restrictions as imposed by the court.

**Note:** Stand Alone Monitoring should be used in conjunction with global positioning system (GPS) technology.

(q) submit to the following location monitoring technology and comply with its requirements as directed:

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### ADDITIONAL CONDITIONS OF RELEASE

(i) Location monitoring technology as directed by the pretrial services or supervising officer; or  
 (ii) Voice Recognition; or  
 (iii) Radio Frequency; or  
 (iv) GPS.

(r) pay all or part of the cost of location monitoring based upon your ability to pay as determined by the pretrial services or supervising officer.  
 (s) report as soon as possible, to the pretrial services or supervising officer, every contact with law enforcement personnel, including arrests, questioning, or traffic stops.  
 (t) A prohibition on the peer-to-peer exchange, purchase, sale, or transfer of virtual currency unless the defendant first registers with the Financial Crimes Enforcement (FinCEN).

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(v) The defendant may not operate a motor vehicle.

(w)

---

(x)

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**ADVICE OF PENALTIES AND SANCTIONS**

TO THE DEFENDANT:

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

Violating any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of your release, an order of detention, a forfeiture of any bond, and a prosecution for contempt of court and could result in imprisonment, a fine, or both.

While on release, if you commit a federal felony offense the punishment is an additional prison term of not more than ten years and for a federal misdemeanor offense the punishment is an additional prison term of not more than one year. This sentence will be consecutive (*i.e.*, in addition to) to any other sentence you receive.

It is a crime punishable by up to ten years in prison, and a \$250,000 fine, or both, to: obstruct a criminal investigation; tamper with a witness, victim, or informant; retaliate or attempt to retaliate against a witness, victim, or informant; or intimidate or attempt to intimidate a witness, victim, juror, informant, or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve a killing or attempted killing.

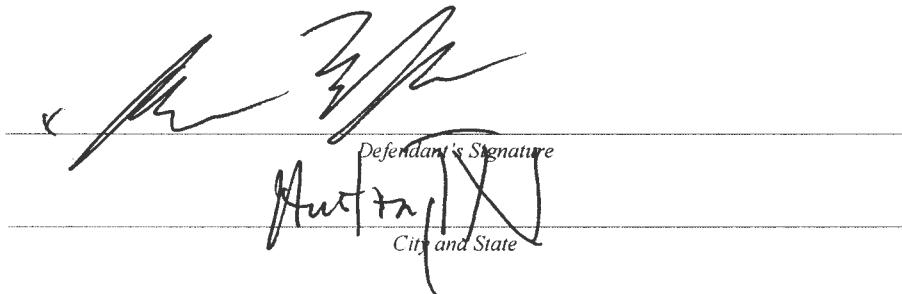
If, after release, you knowingly fail to appear as the conditions of release require, or to surrender to serve a sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more – you will be fined not more than \$250,000 or imprisoned for not more than 10 years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years – you will be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony – you will be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor – you will be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender will be consecutive to any other sentence you receive. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

**Acknowledgment of the Defendant**

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and surrender to serve any sentence imposed. I am aware of the penalties and sanctions set forth above.



*[Handwritten signature]*  
Defendant's Signature  
*[Handwritten signature]*  
City and State

**Directions to the United States Marshal**

The defendant is ORDERED released.

The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judge that the defendant has posted bond and/or complied with all other conditions for release. If still in custody, the defendant must be produced before the appropriate judge at the time and place specified.

Date: 6/11/2021

*[Handwritten signature]*  
Judicial Officer's Signature

U.S. Magistrate Judge Mark Lane

*[Handwritten signature]*  
Printed name and title

DISTRIBUTION: COURT DEFENDANT PRETRIAL SERVICE U.S. ATTORNEY U.S. MARSHAL

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

**FILED**

JUN 11 2021

USA

v.

Case Number: AU:21-M-00481(1)

(1) Brannen Sage Mehaffey

Charging District's Case No.: 2:20cr626

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
BY: *[Signature]*  
*[Signature]* DEPUTY CLERK

**Waiver of Rule 5 & 5.1 Hearing**  
(Complaint/Indictment)

I understand that I have been charged in another district, the District of Arizona.

I have been informed of the charges and of my rights to:

- (1) retain counsel or request the assignment of counsel if I am unable to retain counsel;
- (2) an identity hearing to determine whether I am the person named in the charges;
- (3) production of the warrant, a certified copy of the warrant, or a reliable electronic copy of either;
- (4) a preliminary hearing to determine whether there is probable cause to believe that an offense has been committed, to be held within 14 days of my first appearance if I am in custody and 21 days otherwise, unless I have been indicted beforehand.
- (5) a hearing on any motion by the government for detention;
- (6) request transfer of the proceedings to this district under Fed. R. Crim. P. 20, to plead guilty.

I agree to waive my right(s) to:

- ( an identity hearing and production of the warrant.
- ( a preliminary hearing.
- ( a detention hearing.
- ( an identity hearing, production of the warrant, and any preliminary or detention hearing to which I may be entitled in this district. I request that any preliminary or detention hearing be held in the prosecuting district, at a time set by that court.

I consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.

Date

*6/10/2021*

*[Signature]*  
(1) Brannen Sage Mehaffey, Defendant

*[Signature]*  
Counsel for Defendant

FILED

AO 467 (Rev. 01/09) Order Requiring a Defendant to Appear in the District Where Charges are Pending and Transferring Bail

JUN 11 2021

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
BY *[Signature]*  
DEPUTY CLERK

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

USA §  
§  
vs. § Case No: AU:21-M -00481(1)  
§  
(1) Brannen Sage Mehaffey § Charging District: District of Arizona  
§ Charging District's Case No.: 2:20-cr-626

**ORDER REQUIRING A DEFENDANT TO APPEAR IN THE DISTRICT  
WHERE CHARGES ARE PENDING AND TRANSFERRING BAIL**

After a hearing in this court, the defendant is released from custody and ordered to appear in the district court where the charges are pending to answer those charges. If the time to appear in that court has not yet been set, the defendant must appear when notified to do so. Otherwise, the time and place to appear in that court are:

Place:	Courtroom No.
	Date and Time:

The clerk is ordered to transfer any bail deposited in the registry of this court to the clerk of the court where the charges are pending.

Date: June 11, 2021

  
MARK LANE  
UNITED STATES MAGISTRATE JUDGE